

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|  |   |                                   |
|--|---|-----------------------------------|
| <hr/>                                    |   | X                                 |
| ABRAHAM LEIFER, on Behalf of Himself     | : | Civil Action No. 1:24-cv-03994-AS |
| and All Others Similarly Situated,       | : | [rel. 1:24-CV-03973-AS]           |
|  | : |                                   |
| Plaintiff,                               | : | <u>CLASS ACTION</u>               |
|  | : |                                   |
| vs.                                      | : | ORDER GRANTING PLAINTIFFS'        |
|  | : | MOTION TO CONSOLIDATE RELATED     |
| LIVE NATION ENTERTAINMENT, INC.          | : | ACTIONS AND FOR APPOINTMENT OF    |
| and TICKETMASTER L.L.C.,                 | : | INTERIM CLASS COUNSEL             |
|  | : |                                   |
| Defendants.                              | : |                                   |
| <hr/>                                    |   | X                                 |
| TAMARA STEVENS, Individually and On      | : | Civil Action No. 1:24-cv-04106-AS |
| Behalf of All Others Similarly Situated, | : | [rel. 1:24-CV-03973-AS]           |
|  | : |                                   |
| Plaintiff,                               | : | <u>CLASS ACTION</u>               |
|  | : |                                   |
| vs.                                      | : |                                   |
|  | : |                                   |
| LIVE NATION ENTERTAINMENT, INC.          | : |                                   |
| and TICKETMASTER L.L.C.,                 | : |                                   |
|  | : |                                   |
| Defendants.                              | : |                                   |
| <hr/>                                    |   | X                                 |

Having reviewed plaintiffs Abraham Leifer and Tamara Steven's (collectively, "Plaintiffs") Motion to Consolidate Related Actions and for Appointment of Interim Class Counsel, the Court hereby orders as follows:

## I. CONSOLIDATION

1. Pursuant to Rule 42 of the Federal Rules of Civil Procedure, the following actions are hereby related and consolidated for all purposes, including for pre-trial proceedings and trial:

| Case Name                                | Case Number      | Date Filed   |
|--|------------------|--------------|
| <i>Leifer v. Live Nation Ent., Inc.</i>  | 1:24:cv-03994-AS | May 23, 2024 |
| <i>Stevens v. Live Nation Ent., Inc.</i> | 1:24:cv-04106-AS | May 29, 2024 |

2. Every pleading filed in these consolidated actions, or in any separate action included herein, shall bear the following caption:

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                  |   |  |
|----------------------------------|---|--|
|                                  | X |  |
| In re LIVE NATION ENTERTAINMENT, | : | Lead Case No. 1:24:CV-03994-AS             |
| INC. AND TICKETMASTER L.L.C.     | : |  |
| ANTITRUST LITIGATION             | : | (Consolidated with Case No. 1:24:cv-04106- |
|                                  | : | AS)  |
|                                  | : |  |
| This Document Relates To:        | : | <u>CLASS ACTION</u>                        |
|                                  | : |  |
| ALL ACTIONS.                     | : |  |
|                                  | X |  |

3. The file in *Leifer* shall constitute the master file for every action in the consolidated action. The Clerk shall administratively close the *Stevens* action. When a document being filed pertains to all actions, the phrase "All Actions" shall appear immediately after the phrase "This Document Relates To." When a pleading applies to some, but not all, of the actions, the document shall list, immediately after the phrase "This Document Relates To," the docket number for each



(a) Initiate, brief, and argue motions on behalf of the respective Class on all matters arising during pre-trial proceedings, and prepare, serve and file opposing briefs in proceedings initiated by other parties;

(b) Represent the respective Class at pre-trial, scheduling and status conferences;

(c) Coordinate the initiation and conduct of discovery on behalf of the respective Class;

(d) Conduct settlement negotiations with defendants' counsel, execute necessary settlement documentation, and present any formalized settlement to the Court on behalf of the respective Class;

(e) Call and conduct meetings of respective Plaintiffs' counsel when appropriate;

(f) Delegate specific tasks to other counsel or committees of counsel that Interim Class Counsel may establish as appropriate, in a manner to ensure that pre-trial preparation for the Class is conducted efficiently, effectively, and without duplication;

(g) Employ and consult with experts;

(h) Coordinate pre-trial activities and plan for trial;

(i) Conduct trial and post-trial proceedings;

(j) Prepare and distribute periodic status reports to the parties;

(k) Allocate fees among the various firms doing work in the case, on behalf of the Class, if any are awarded by the Court;

(l) Perform such other duties as may be incidental to proper coordination of the Class's pre-trial activities or are authorized by further order of this Court;

(m) Coordinate and communicate with defendants' counsel and the Court with respect to the matters addressed in this paragraph;

- (n) Distribute all notices, orders and decisions of the Court to all Plaintiffs' counsel to the extent not communicated directly by the Court;
- (o) Maintain and distribute a master service list of all parties and their respective counsel;
- (p) Receive orders, notices, correspondence and telephone calls from the Court on behalf of the Class, and shall be responsible for preparing and distributing the same to all Class counsel upon direction from the Court; and
- (q) Perform other such duties and undertaking other responsibilities as are necessary or desirable in connection with the prosecution of the litigation.

10. Interim Class Counsel shall have sole authority to communicate with defendants' counsel, any third-parties, and the Court on behalf of all Plaintiffs in the putative Class. Defendants' counsel may rely on all agreements made with Interim Class Counsel and such agreements shall be binding on all counsel for the Class.

The Court declines to appoint an executive committee at this time. "Committees of counsel often compete against considerations of efficiency and economy, ... and can lead to substantially increased costs and unnecessary duplication of efforts." *In re Warner Music Grp. Data Breach*, 2021 WL 725728, at \*3 (S.D.N.Y. Feb. 22, 2021) (cleaned up). "At this stage of the litigation, it is not clear that a leadership structure beyond ... lead counsel is necessary to serve Plaintiffs' needs." *Id.*; see also *In re Bystolic Antitrust Litig.*, 2020 WL 6700830, at \*2 (S.D.N.Y. Nov. 12, 2020) (denying request to appoint an executive committee and collecting cases).

The Clerk of Court is directed to terminate Dkt. 44 in 1:24-cv-3994. The Clerk of Court is further directed administratively to close 1:24-cv-04106. The consolidated complaint in this matter should be filed no later than September 16, 2024.

IT IS SO ORDERED.

DATED: September 3, 2024

  
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THE HONORABLE ARUN SUBRAMANIAN  
UNITED STATES DISTRICT JUDGE